

Prob 12
(Rev. 3/88)

UNITED STATES DISTRICT COURT
For The
WESTERN DISTRICT OF PENNSYLVANIA

'06 AUG 11 P4:01

U.S.A. vs. John J. Kabasinski, Jr.

Docket No. 99-00020-001 Erie

CLERK
Petition on Supervised Release

COMES NOW Theodore W. Johnson, CHIEF PROBATION OFFICER OF THE COURT, presenting an official report upon the conduct and attitude of John J. Kabasinski, Jr., who was placed on supervision by the Honorable Maurice B. Cohill, Jr. sitting in the Court at Erie, Pennsylvania, on the 14th day of December 1999, who fixed the period of supervision at five years and imposed the general terms and conditions theretofore adopted by the Court and also imposed special conditions and terms as follows:

- The defendant shall not commit another federal, state, or local crime.
- The defendant shall not illegally possess a controlled substance.
- The defendant shall not possess a firearm, destructive device, or any other dangerous weapon.
- The defendant shall pay any restitution at the rate of not less than 10 percent of his monthly gross income.
- The defendant shall provide the probation officer with access to any requested financial information.
- The defendant shall not incur new credit charges or open additional lines of credit without the approval of the probation officer, unless the defendant is in compliance with the payment schedule.
- The defendant shall pay \$506,476.48 in restitution.
- The defendant shall notify the United States Attorney for this district within 30 days of any change of mailing or residence address that occurs while any portion of the restitution remains unpaid.
- The defendant shall pay a special assessment of \$450.

12-14-99: Counts 1 through 5: Bank Fraud; 24 months' custody of the Bureau of Prisons at each count, to be served concurrently; 5 years' supervised release at each count, to be served concurrently.

11-16-01: Released to supervision; Currently supervised by U.S. Probation Officer Audrey D. Martin, Middle District of Florida..

RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT AND FOR CAUSE AS FOLLOWS:

Your Petitioner reports that Mr. Kabasinski was ordered by the Court to pay \$506,476.48 in restitution. The rate of payment of restitution was to be at 10 percent of the releasee's gross monthly income. Mr. Kabasinski has paid \$8,085. A balance of \$498,391.48 remains. Mr. Kabasinski has been gainfully employed and has adequately adhered to the payment schedule established in this case. Mr. Kabasinski does not have the ability at this time to pay the balance of the restitution in full by the expiration of his term of supervised release on November 15, 2006. Therefore, it is respectfully recommended that the case be allowed to close with money owing.

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PRAYING THAT THE COURT WILL ORDER that the term of supervised release imposed at Criminal No. 99-00020-001 Erie be allowed to expire as scheduled with the restitution due and owing and the case be closed.

ORDER OF COURT

Considered and ordered _____ day of
_____, _____ and ordered filed and
a part of the records in the above case.

Senior U.S. District Judge

I declare under penalty of perjury that
the foregoing is true and correct.

Executed
on

August 11, 2006

David J. Conde

David J. Conde
U.S. Probation Officer

Gerald R. Buban

Gerald R. Buban
Supervising U.S. Probation Officer

Place: Erie, PA